

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72433 of 2023

Arising Out of PS. Case No.-86 Year-2023 Thana- HASANGANJ District- Katihar

1. Gautam Poddar S/O Gopal Poddar R/O Village- Rampur Kospali, P.S-Hasanganj, Distt.- Katihar.
2. Vikash Poddar S/O Gopal Poddar R/O Village- Rampur Kospali, P.S-Hasanganj, Distt.- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Harish Chandra Patel, Advocate

For the Opposite Party/s : Mr. Shantanu Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 30-11-2023 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 354, 307, 379, 504 and 506/34 of the Indian Penal Code.

3. It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. Allegation against the petitioner no. 1 is of assaulting Vijay Poddar, husband of the informant by means of dabiya and further allegation against the petitioner no. 2 is of assaulting



Maharaj Poddar by means of knife who received injury. As per injury report, injury of Vijay Poddar is found grievous in nature and injury of Maharaj Poddar is found simple in nature. Petitioners have one criminal antecedent as mentioned in para-3 of this application.

4. Having regard to the facts and circumstances of the case, considering the nature of injury is simple in nature, let the above named petitioner no.2, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Hasanganj P.S. Case No. 86 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

5. Learned APP for the State opposes the prayer for bail of the petitioners.

6. Considering the facts and circumstances of case, the nature of injury is found grievous, I am not inclined to enlarge petitioner no. 1 on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected. However, the petitioner is directed to surrender before the learned Court below within



six weeks from today and seek regular bail and the learned Court below would pass order on the same day in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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